



HARLES by the Grace of G O D,  
King of great Britaine, Franche and Irelond,  
defender of the Faith to Our Louistes,  
Lyon King at Armes, and his Brethren  
Heraulds, Messingers, Our Shirriffes in  
that part conjunctlie and seuerallie spe-  
ciallie constitute greeting, for so meekle  
as Wee hauing now-afier good Aduice  
and Deliberation pronounced and giuen  
soorth Our Royall Ddcteete, Sentence,  
and Determination in the matters refer-  
red and submitted vnto Vs by the Gene-  
rall Submissions made by the Archbishops and Bishops, Lords of E-  
rections, Patrons of Kirkes and Benefices, Titulars of Teinds, and He-  
ritours of the Landes Out of which Teinds are payed, and by Our  
Borrowes and others Our Subjects, particularlie exprest in the saides  
Submissions, as in the foure seuerall Decrees following, pronounced  
by Vs in these matters at length is contained. And Wee finding it ne-  
cessar and expedient for the good of Our Subjects, that Publication &  
Intimation should bee made of our saides Decrees, to the intent that  
our Subjects beeing acquainted with the Tennour and substance of the  
same, they may bee the better prepared and resolued to obtemper and  
obey the same. Wee therefore recommended to the Lords of our Pri-  
uie Counsell, the Publication of our saids Decrees, which Decrees  
beeing exhibite vnto our said Counsell, and read in their audience vp-  
on the eighteenth day of September instant, and they in all duetifull obe-  
dience acquiescinc to our Royall direction anent the Publication of our  
saids Decrees: Therefore they haue ordained and ordaines the saides  
Decrees to be published at the Mercat Crosses of the head Borrowes of  
this our Kingdome, and hath ordained these our Letters to bee direct  
for that effect, as an Act made therepon beares.



VR Will is heerefore, and Wee charge you strait-  
lie and commands that incontinent these our Let-  
ters seene you passe to the Marcat Crose of Our  
Burgh of Edinburgh, and to the remenant Mercat  
Crosses of the head Borrowes of this Our Kingdome,  
and there by open Proclamation,inOur Name & Au-  
thoritie make Publicantion and Intimation of Our  
saids Decrees to all and sundrie Our Lieges and Subjects, wherethrough  
none pretend ignorance of the same: As You will answeare to Vs therevpon  
The which to doe, Wee committe to you conjunctlie and seuerallie  
Our full power by these our Letters, deliuering the same by you, due-  
lie execute and indorsed againe to the Bearer: Giuen vnder our Signet  
at Holis-Rude-House the eighteenth day of September, and of Our Reigne  
the fift year, 1629. *Per actum Secreti Consilij.*

*Heere followeth the tennour of the Decrees.*

A

HIS MAJESTIES DETERMI-  
nation vpon the first generall Submissions.



HARLES by the Grace of GOD  
King of great Britaine *France* and  
*Ireland*, defender of the Faith. To  
all and sundrie Our Subjects whom  
it effectis. For so meekle as by the  
generall Submissions made to vs, by  
all and sundrie persons, hauing or  
pertending right, to whatsomeuer  
errections and temporalities of Bene-  
fices, Superiorities and few dueties  
of the famine; Or to the Kirkes and  
Teinds great and small Personages  
and Vicarages: Or to Patronages  
of Kirkes pertaining to errections; or  
to any Teinds, which they or any

of them haue of other mens Lands by whatsomeuer right or title: And  
als by the Heritours and possessours of Lands lying within the saides  
Kirkes and Benefices erected; for themselves and in name of all others  
who were desirous to haue the right and title of the Teinds of their  
owne Lands, at a competent rate and pryce; conforme to our gracious  
Proclamations made to that effect: The saids persons subscribers of the  
saids generall Submissions did submitte themselues to Vs; And are  
bound to stand and abide at our determination and Decreete, anent what  
composition & satisfaction shall be made & giuen by Vs to them or any  
of them; for the few mails, few Fermes & other constant Rent of the superi-  
orities of whatsomeuer Lands, *Baronies, Mylnes, woods, Fishings, Towers, For-  
salices*, maner places and their pertinents, pertaining to whatsomeuer  
errections and temporalities of Benefices, of whatsomeuer title, name or  
designation the famine be, resigned and surrendered by them in Our  
hands: And als did freelie & abolutelie submitte to Vs all and sundrie  
Teinds, that they or anie of them haue of other mens Lands by what-  
someuer right or title they possesse and injoye the famine: And howe  
they may bee denuded thereof in Our fauours, *Omni habili modo quo de  
jure*: And als submitted to Vs, to appoint the rate and quantitie of the  
saids Teinds and what price shall bee giuen to them for the famine, and  
what securities should bee made thereanent, they alwayes beeinge libe-  
rate of the burden of the Ministers Stipends *Pro rata*, as in the saids ge-  
nerall Submissions, containing diversie others heades and Articles, and  
bearing

bearing full power to Vs, to pronounce Our determination in the premissis; and also to prorogate the time of the giving foorth of Our said determination betwixt and the first day of *August* then next to come, and nowe by gone to whatsoeuer day or dayes thereafter, at more length is contained: And Wee having called vp to Vs a number of our Nobilitie, Priuie Counsell and others able expert and well affected, to giue their aduice to Vs, in a matter of so great importance in the Moneths *April* and *May*, 1628. yeeres with whom We had diuerse meetings and conferences; and heard and considered the reasons and arguments of all parties hauing entresse with their opinions and judgements thereanent. And in respect of the consequens of the busynesse, We tooke the famine to our farder consideration, and in the meane time prorogate our determination to bee giuen vpon the saids Sub-commiſſions till the last day of *December*, 1629. yeares, betwixt and the which time, Wee declared that We would giue foorth Our Royall determination in the matters submitted to Vs by the saids generall Submissions: And now Wee beeing well and ryplie aduised therein and tendering the well and plantation of the Kirkes with the peace and quietnesse of that Our antient Kingdome: Pronunce our sentence and determination as followes: In the first as to the composition to bee giuen by Vs, for the few mailes, few Fermes and other constant Rent of the saide Superiorities, Wee finde and decerne the sounce of ane thousand markes Scots money to bee a competent and reasonable satisfaction to bee payed for each Chalder of few Fermes, Victuall ouer-head, and for each hundredth markes monye of few mails, and for each hundredth markes worth of all other constant Rent of the saids Superiorities ( not consisting in Victuall or Money; and not beeing naked service of Vassels ) The famine beeing valued and redacted in moneys by our Commissioners after specified; deducing alwayes off the saids few Fermes, few Mails, and other constane Rent foresaid: The blanche dueties contained in the Infestments of erections made to the saids Submitters, or their authors: For the which, Wee finde, that Wee ought nor shoulde giue no satisfaction, in respect the famine pertaines to Vs, as our proper Rent by their saides Infestments of erections. And because it is not constant what is the true Rentall, and quantitie of the saides few Fermes, few Mails, and other constant Rent of the saids Superiorities, and what part thereof pertaines to euerie particular person; and what is free, deducing the saids blanch dueties, without the which were tryed and knowne, there can bee no payment made to them of the said composition and satisfaction. Therefore Wee ordaine the saides Lords of erection and all others having right to any parte of the saids few Fermes few Mails, and other constant Rent foresaid of the saids Superiorities, to giue in the just Rentall of the saides few Fermes, few Mails, and other constante Rent of the saids Superiorities, and what part thereof pertaines to euerie particular person heritable in life-rent, or otherwise; and what parts thereof is presently

payed, or hath beeene payed to them, or anie other, hauing or preten-  
 ding right thereto, of the yeares preceeding the decease of our vnyquhile  
 dearest Father of eternall memorie, and sensyne; and what is free  
 thereof, deducing the saides blench dueties before Our Commissioners  
 nominat or to bee nominat by Vs to that effect, at such dayes and times  
 as they shall bee required thereto: And to subscrive the saids Rentals  
 with their hands. and therein to be bound to warrand the saids Rentals  
 to bee the just Rentals thereof, from their owne deede; and that the  
 famine hath beeene payed these seuen yeares immediatlie bygone at the  
 least payable by lawfull fewes sette before the A<sup>t</sup>t of annexation: And  
 that the famine is not burdened with no pension, nor life-rent, nor  
 other right, flowing from them, their authours or predecessours, since  
 the date of their erections, which may prejudge Our present Intromission  
 therewith: Which beeing done, and the saids Rentals tryed, allowed and  
 approuen by Our saides Commissioners Decernes and ordaines Our The-  
 saurer, Thelaurer Deputie, and receiuers of our Rents present and to come,  
 to make good and thankefull payment to them, and every one of them,  
 according to the saids Rentals, to be tryed by Our saides Commis-  
 sioners of the said soume of an thousand markes for each Chalder of few  
 Fermes, and for each hundredth markes of few Mails, and for each hun-  
 dredth markes worth of all other constant Rent foresaid of the saids Su-  
 periorities, beeing valued and redacted in moneys by Our saides Com-  
 missioners, deducing the saids blanch dueties as laid is, and that within  
 the space of a month thereafter: with this speciaill prouision and decla-  
 ration; that in case our said Thesaurer principall, Thesaurer Depute  
 and receiuers failyie in payment, that then & in that case, the saids Lords  
 of erection and others persons foresaides hauing right to the saides few  
 Fermes, few Mails, and other constant Rent foresaid of the saides Su-  
 periorities, shall haue good right to medle and intromet with the saides  
 few Fermes, few Mails, and other constant Rent foresaid, of all yeares  
 and tearmes thereafter, aye and while the saids soumes be reallie payed  
 and satisfied to them, and als with this prouision, that if it shall hap-  
 pen any of the saides Lords of erection, or any others hauing or pre-  
 tending right to the saides few Fermes, few Mails, and other consta-  
 nt foresaid, to failyie in compearing before the saides Lords Com-  
 missioners, and giuing vp of the true sentals thereof in manner aboue  
 designed, at the dyets and times to bee assignd to them, that then and  
 in that case it shall bee lawfull to Vs and our Thesaurers and receiuers,  
 to intromet with the saids few Fermes, few Mails, and other consta-  
 nt of the saides Superiorities, they alwayes beeing acted and bound  
 before Our saides Commissioners appointed, or to bee appointed by Vs  
 to pay to the Person, swa failyie and the said prycce and composition of  
 an thousand markes money for each Chalder or hundredth markes of the  
 saids few Fermes few Mails, and other constant rent foresaid: And that  
 within the space of an monthe after they shall giue vp an just and true ac-  
 tall in

tall in manner and with warandice aboue-exprest, and that the summe  
 shall bee tryed and found by Our saids Commissioners to bee just and  
 lawfull , and als with this prouision, that if the falyiers shall purge them-  
 selues by lawfull and reasonable causes before Our saids Commissio-  
 ners of their not vp-giuing of their Rentals : That then & in that case ,  
 Our saids Commissioners shall haue power to appoint to them , whose  
 falyie shall bee so purged , Annuellrent at tenne of the hundredth from  
 the time of Our Thesauers entrie to their saids few Mailes ; to the time  
 of the payment of the said composition , which is appointed to be made  
 at the vp-giuing of their saids rentals in maner foresaid . And because in  
 trying of the rentals of the saids few Fermes , few Mailes , and other  
 constant rent foresaid , there may occur question betwixt two or moe per-  
 sons & parties claiming right to the saids few Fermes , few Mailes , & other  
 constant rent foresaid , in whole or in part , by Infeftments pensions , lift-  
 rents , or other right standing in their person ; in the which case , justice  
 and equitie craueth , that each person shall receiue an portion of the said  
 satisfaction , according to the qualitie of their right , whither the summe  
 bee lift-rent fee , pension , anwelrent , or other right whatsomeuer .  
 Therefore Wee ordaine Our saids Commissioners , to take tryall of the  
 said seuerall rights , and accordinglie , to appoint the saids soumes or-  
 dained to bee payed by Our saids Thesauers and receiuers for compo-  
 sition and satisfaction as said is , to bee payed or diuided amongst them ,  
 according to the qualitie of their tights . And Wee will , and declare ,  
 that the difference or dispute to be made amongst the saids parties , hauing  
 or pretending rights to the saids few Fermes , few Mailes , and other  
 constant rent foresaid , after the true rentall thereof bee once tryed as  
 said is , shall bee no hinderance nor impediment , to Our said Thesauer ,  
 and Thesauer Depute , to medle and intromet with the saids few Fermes ,  
 few Mailes , & other constant rent of the said Superiorities : They alwayes  
 paying or consigning the said soumes decerned by Vs , as said is : In prefence  
 of the saids Commissioners to be soorth comming to all the saids parties  
 who pretends interesse therero , according as Our saids Commissioners  
 shall appoint . And further , Wee declare that Our entrie to the saids  
 few Fermes , few Mailes , and other constant rent foresaid of the saids  
 Superiorities , shall bee and begin at the feast and tearme of Witsonday  
 or Mettrimes next and immediateli following the payment or consigna-  
 tion to bee made by Our Thesauer principall or Depute in Our Name ,  
 to each person vp-giuere of his rentall , of the soumes of money due to be  
 payed , conforme to this Our Decrete and determination . And at the  
 Tearme next and immediateli following the falyie , to bee committed  
 by thesowho shall not giue vp their rentall in manner foresaid . Our said  
 Thesauers and Thesauer Depute beeing alwayes acted for payment to  
 them , after they shall giue vp their rentals in manner foresaid . And  
 als declares if any of the saids few Fermes , few Mailes , and other con-  
 stant rent foresaid bee payable at other Tearmes nor the saids ordinari-

Tearmes of Witsonday and Mertimise, that our entrie shall bee ruled and diuided according to the respect of the saides ordinar Tearmes of Witsonday and Mertimes in manner aboue exprest, sva that if payement or consignation shall bee made by Vs at Witsonday, then the whole yeare and Crop shall bee due to Vs, and if the famine shall happen to bee at Mertimes, then the halfe alanelie shall bee due to Vs, and the like course to bee obserued, where the falyie shall bee committed in not vp-giuing of the rentals in manner before exprest. Next wher eas the saides persons Submitters hath submitted to Vs all and sundrie the Teinds, that they or any of them haue of other mens Lands, by whatsomeuer right or title they possesse or enjoye the famine, and how they may bee deuided thereof in Our faours; and als hath submitted to Vs the rate and quantitie of Teinds, pryce of the famine, and maner of securitie to bee made thereanent. We finde that it is necessar and expedient, for the publicke well and peace of this our auncient Kingdome, and for the better prouiding of Kirks & Ministers Stipends, and for the establishing of Schooles, and other pious vses, that each heritor haue and enjoye his owne Teinds: And therefore to the effect full and perfect securitie may be made to euery heritor of his owne Teinds. We decerne and ordaine the saids Submitters and every one of them and their hiers to denude themselves of the right of other mens Teinds in Our faours by all lawfull maner, as may stand by the Lawes of Oure Kingdome, and that of the Crop, 1629 years, and yearly there after in all time comming, And to that effect, Wee decerne the saides Submitters and their foresaids, to exhibite their rights, infestments, tacks and other securities whatlomeuer whereby they brooke the saids Teinds of other mens Lands to Our Aduocat, or Clerkes of our saides Comissions at such dyets and times as they shall bee required, to the effect, hee vpon the sight thereof may forme such lawfull and valid securities in our faours as may stand by Law: Which securities, We decerne the saides Submitters to subscribe, prouyding they bee no further oblisht in warrandice thereof, but from their owne deedes, and from the facts and deedes of their predecessours, to whom they are heites. Excepting therrefra such factes and deedes as is made and perfected by any of the Submitters and their foresaids, in faours of the present possessours Tackef-men, and others hauing right from them of the famine Teinds. Wherevpon they, and every one of them, shall bee oblisht to condiscend at the time of the exhibition of their rights to Our said Aduocat or to the Clerkes of Our saides Comissions, And as to the rate and quantitie of Teinds, Wee ratifie and approue the course and order taken by Our speciall command and direction for valuation of the whole Teinds of the Kingdome, so farre as shall be justlie and lawfullie done according to the Tennour of our Comissions, and ordaines the Commissioners and Subcommissioners already appointed or to bee appointed to that effect, to expedie the famine withall conuenient

conuenient diligence , and findes and declares that the rate and quantitie of all Teindes of the Kingdome is and shall bee the fift part of the constant rent , which each Land payeth in Stocke and Teind , where the famine are valued /oyntly . And where the Teindes are valued a. part and seuerallie findeth that the rate and quantitie thereof is and shall bee such as the famine shall bee valued and esteemed to , by the saides Commissioners or Subcommissioners . Deducing alwayes the fift part thereof; which W<sup>e</sup>ee out of Our Fatherly and Royall care for the well of Our said Kingdome , ordaine to be deduced , of the saids teinds seuerallie valued as said is , for the easse and comfort of our Subjectes , Referring alwayes libertie to such as shall be enormely hurt and grieved in the valuations foresaid , either conjunctlie or seuerallie made , to appeale to Vs or to Our Parliament , to the effect W<sup>e</sup>ee may take such order therein , as may rectifie all abusles and disorders committed or to bee committed in the saides valuations . And as to the prycce of Teindes , W<sup>e</sup>ee finde the prycce of each hundredth markes of teind consisting in money , to bee valued and esteemed to nine yeares purchase , and where the saids Teindes consists in victuall , or others bodies is of goods : Because there is great difference of the qualitie of victuall , and of the other bodies of Teindes , both in spaces and kindes , and in worth , and goodnessse , according to the diuerte places in the Countrie where the famine groweth and are bred . Therefore W<sup>e</sup>e decerne and ordaine tryall to be taken by our Commissioners appointed or to be appointed by Vs , of the prycce worth and estimation of each Chalder of victuall , and of all other bodies of goods , wherein the Teindes consisteth in kindes and goodnessse , as the famine commonlie ruleth in each part of the Countrie : And this beeing tryed , and condiscended vpon , and the prycces thereof beeing redacted in moneys . W<sup>e</sup>ee finde the just and reasonable prycce thereof to bee esteemed to nine yeares purchase : And W<sup>e</sup>ee declare this nine yeares purchase to bee the just prycce of the heritable right of Teindes , where the seller hath the heritable right thereof , but where his rights is not heritable , but temporall , and consisteth in Leasses and Tackes , or some other temporall right , whereof there are many or few yeares to rinne . W<sup>e</sup>ee declare the prycce in this case to bee ruled proportionally , according to the number of the Tackes and qualittie of the rights , And because many heritours of Lands , hath tackes long or short of their owne Teindes , or some other right thereof , standing in their person , in the which case , it is not reasonable , that the heritours should pay the full prycce to the persons , hauing right to their teinds . Therefore W<sup>e</sup>ee referrre this point also to our Commissioners appointed or bee appointed , to determine and set downe the proportion of the prycce , according to the yeares of the Tackes to rinne , and qualittie of rights standing in the person of the saids heritours , and according to the qualittie of the rights standing in the person of these who hath title to the saids Teindes after the out-running of the heritours tacks and

rights of the famine. It is alwayes declared that the saids heritours who shall buy their owne teindes , shal bee oblikt to pay for no more of the famine: But such as shall rest by and attour the Ministers Stipends, and others pious vses; which by the tennour of the generall Commission are ordained to bee firt prouided: And als that these who shall not buy their owne teindes , and are to bee subject in payment of the rate of their Teind aboue specified, shall bee no further oblikt in payment thereof to the saids titulars , but with deduiction of such part and portion therof, as is or shalbe prouided to the maintenance of the saids Ministers, and others pious vses forelaids exprest in the said generall Commission. Which Wee will and Ordaine to be deduced, according to the tenour of the said Commission , and actes thereof, made or to made therein , or in any other Commission to bee appointed heereafter by Vs in fauours of the Ministers, and others pious vses therein mentioned And declares the saids Titulars to bee free and liberat of the Ministers Stipends *pro rata*; And decernes the saids heritours to freeth and releaue the saids Titulars at the hands of the Ministers , and others ha<sup>n</sup>g right of that part of their saids teinds , which shall bee assignd and appointed to bee payed to the saids Ministers, and to the other pious vses forelaids: And als to releaue the saids Titulars at Our hands, anent the payment of Our anunitie : And to make yearly payment of the forelaids burdins, for releife of the saids titulars *pro rata*. And such like Wee deceerne, where Wee or any other haue right to teinds , after inspe<sup>c</sup>tion of their Evidents , and due consideration of their rights by Our selues , or by such Commissioners as Wee shall appoint, that accordingly in regard of the rights that Wee or they shall bee found to haue, and for making vp of a perfect right to the heritours, such a part or prycce or payable rent shall bee ordained to bee payed and applyed to Our or their vse. And because Wee haue a speciaill and particular entresse in the Teinds of erected Benefices, and that Reason, Justice and Conscience craueth, that a part of the prycce therof, or where prycce is not payed, a part of the yearly duetie should bee applyed to Our vse. And because all erections are not of one nature and kind, but some of them deserueth more consideration and respect nor others, according to the true causes merits and seruices, for the which the famine were granted. Therefore Wee remit the tryall heereof to Our saids Commissioners: To determine what proportion of prycce or rent shall bee defeased and allowed to Vs of the saids Teinds of erection, according to the validitie and merit of each persons rights, after the production of the famine to Our Aduocat: And because by ane expresse clause in the saids Submissions: It is specially declared by Vs: That Wee wold take to our Princely consideration, the lawfull Tacks and rights of teinds of erected Benefices , and of all laicke Patronages made and set to the present possessours or their authours, by lawfull Abbots, laicke Patrons, and others Titulars of Benefices lawfullie set before the dats of the saids erections;

errections: And for the spaces and yeares of the saids Tackes, rights and Patronages as yet to rinne: To the effect that they might haue full and plenarie satisfaction for the saids tacks , rights and patronages , according as Wee should find the validitie thereof, as is vsuall in the like cases: With the burden alwayes of Our annunitie mentioned in the saids generali securities and submissions: And to the effect, Wee might bee informed of their saids tacks and rights , before the giuing foorth of Our determination in the premisis: It was, and is ordained, and prouyded, that such of the saids Lords of errections and other persons fore-saids, as haue such tacks or rights made and set vnto them, their pre-decessours and authours before the saids errections , should exhibite and produce the same to Our Aduocat at such dyets and times , as should bee appointed by Vs or Our Chancellour at Our command and direction, before the giuing foorth of Our determinations , in the Premisis: Like as also it is speciallie prouyded. That the said generall Submissions should no wayes bee prejudicall to whatsomeuer action of warandice competent to the saids persons Submitters or any of them, against their authours from whom they cost or acquired their rights of the saids Teinds (which falleth within the compasse of the saids Submissions) For soumes of money : But that either the saids actions of warrandice shall bee referred vnto them , conforme to the tennour of their rights made to them therepon: Or otherwise , That the satisfaction to bee decerned , in their fauours shall bee answerable to their warrandice , and no wayes inferiour thereto : The saids persons, and swa many of them who haue their actions of warrandice referred to them in maner foresaid: Exhibiting & producing their saids rights, bearing the warrandice foresaid: To our Advocat at such dyets and times as should be appointed and prescrivien to them by Vs or Our Chancellour at Our command and direction, before the giuing foorth of Our determination in the Premisis; As in the saids generall submissions at more length is contained. And for so meekle, as Wee according to the prouisions contained in the saids Submissions by Our Letter of the date the last of Junij 1628. Gauē speciall warrant to Our Commissioners for production of the foresaids Tacks , Leasses and others foresaids: Who by their act and ordinance , of the date the eight of August: And by publicke Proclamation past therepon; Ordained that all the saids persons hauing entresse , should compear before them vpon the first of November 1628 yeares: Bringing and producing with them all their Leasses and Tackes of other mens Teinds sette to them or their authours before their errections , together withall their rights and securities of the foresaids Teinds, bearing absolute warrandice , or warrandice of their owne moneys incase of eviction: To the effect, the same might bee seene and considered by Our Aduocat , with certifiation to them that failyies, that they should not bee heard to claime any satisfaction for the same thereafter: And that some few alenerlie of the saids persons hauing entresse, hath giuen in their tacks and rights,

C *compeare before them vpon the first of November 1628 yeares: Bringing and producing with them all their Leasses and Tackes of other mens Teinds sette to them or their authours before their errections , together withall their rights and securities of the foresaids Teinds, bearing absolute warrandice , or warrandice of their owne moneys incase of eviction: To the effect, the same might bee seene and considered by Our Aduocat , with certifiation to them that failyies, that they should not bee heard to claime any satisfaction for the same thereafter: And that some few alenerlie of the saids persons hauing entresse, hath giuen in their tacks and rights,*

bearing warrandice as said is: Swa that by rigour of Law, Wee might  
 give out Our determination, without respect of the saids rights, not pro-  
 duced to Our said Aduocat conforme to the prouision contained in the  
 saids Submisions. Yet Wee out of Our Royall Clemencie and good-  
 nesse, Decerne and ordaine full and plenarie satisfaction to bee made,  
 not onelie to these who hath alreadie produced, and whose productions  
 are extant in the Register of the said generall Commission: But also to all  
 other persons, submitters, who hath lawfull Tackes sett to them, their  
 predecesours or authors of the saids teinds, of erected Benefices, which  
 falleth within the compasse of the saids Submisions, for the rights of  
 the saids Teinds; during the spaces contained in the saids Tacks, and that  
 without any defalcation or diminution of the price thereof, in respect  
 of Our particular right and entresse: But according to the full awaile of  
 the yeares to rinne contained in the saids Tacks, they alwayes exhibi-  
 ting and producing to Our Aduocat for the time, or Clerkes of Our  
 Commissions foresaids, Their saids Leasses and Tacks betwixt this and  
 the last day of May next to come and no otherwayes; And because af-  
 ter production thereof, euerie person will not haue alike yeares and spaces  
 to rinne in their saids Tacks. Therefore Wee referre to our saids Com-  
 missioners, to sette downe the just worth and valuation of the saids tacks  
 sette before the saids erections, According to the number and spaces of  
 yeares of the famine, which is yet to runne: And to modifie the said  
 pryce to each person accordinglie: And such like, Wee decerne and  
 ordaine that the saids persons, Submitters, nor none of them shall bee  
 any wayes prejudged by their saids Submisions of their actions of war-  
 randice competent to them against their authours from whom they coft  
 or acquired their rights of the saids Teinds, which falleth within the  
 compasse of the saids Submisions: But declares their saids actions of  
 warrandice to bee free and reserved to them, allowing alwayes in the  
 first end thereof, so much as they are to receiuie by vertue of this Our  
 determination, in the first end of their said warrandice: And if any of  
 them shall happen to bee prejudged by, or through occasion of their  
 subsciuring of the saids Submisions, of their said action of warrandice,  
 and to bee debarred therfra in whole or in part by occasion thereof.  
 In that case Wee decerne that whatsomeuer by Law they might obtaine  
 against their saids authours by their action of warrandice, for warrant-  
 ing of their rights of the said Teinds, which falleth within the com-  
 passe of the saids generall Submisions: And for the which they are or  
 shall bee debarred by and through the saids Submisions, And this Our  
 determination following therepon: That the famine shall bee resoun-  
 ded to them by Our said Thesaurer principall, Thesaurer Depute, and  
 receiuers foresaides: They alwayes exhibiting and producing to Our  
 said Aduocat, or Clerkes of Our Commissions foresaids, their saids rights  
 bearing warrandice in manner foresaid, betwixt and the last day of  
 May nex to come, and none other wayes. And Wee finde and declare  
 that this generall course and order, That euerie heritour shall brooke  
 and

and possesse his owne Teinds, shall haue beginning in this instant yeare of GOD 1629 yeares: The saids heritours beeing alwayes readie to fulfill and perorme their part of this Our determination, And to the effect, that the saids Titulars may receive full and compleate satisfaction of the price of the saids Teinds, so farre as is due to them by this Our determination, from the said heritours, who shall buy their Teinds as said is, Or where they shall not buy: That the saids Titulars may bee secured in the yearlie rate and quantitie of the saids teinds, to be payed to them of the said Crop, 1629. yeares, and yearelle thereafter W<sup>e</sup>e referre the consideration of the Tearnmes of payment of the saids prycies: And also of the Tearnmes of payment of the said payable tent of the said Crop 1629, and yearelle thereafter, together w<sup>t</sup> h the maner and forme of securitie to bee giuen thereanent by the saids heritours, to the saids Titulars vnto our saids Commissioners: To whom W<sup>e</sup>e giue full power to sette downe such ample securities as may stand by Law, both for Our securitie, and for securitie of the saids Titulars in the Premissie Which forme of securitie to be ordained by them. W<sup>e</sup>e decerne the saids heritours to obserue and fulfill in all pointes, after the forme and tennour thereof. Like as also W<sup>e</sup>e referre to the consideration of Our saids Commissioners, what manner of securitie shall bee made by Vs, to euerie heritour of the teindes of his owne Lands, To the effect they may brooke the famine heritable and perpetuallie for euer according to the meaning of this, Our determination. And W<sup>e</sup>e decerne the saids whole persons submitters their heires and successours, to obtemper fulfill and obey this Our determination in the whole heeds ar d Articles thereof, They receiuing lawfull and perfect securities conforme to the tennour of Our Commission and whole heedes thereof, particularlie and generallie mentioned in the saids generall Submissions: And als receiving reall payment of that which W<sup>e</sup>e haue ordained by this Our determination, before they denude themselves, either of right or possession of the saids fewe Mails, and Tithes: And that in manner particularlie exprest in this Our determination as is aboue specified: And finallie W<sup>e</sup>e ordaine this Our determination with the whole Submissions wherevpon the famine proceeds, to be registrate in the books of Counsell and Session, To haue the strength and force of a Decrete of the Lords thereof, with execution to passe therewpon, in forme as effeires: And the Horning to passe vpon a simple charge of ten dayes allanerlie, and to that effect makes and constitutes.

Our Aduocat our Procuratour, To compearce for Vs, and consent to the registering heereof, in manner foresaid. In witnessse whereof We haue signed these presents with our Hand at windsore, the second day of September, the yeare of GOD 1629 yeares, before these witnessses, William Erle of Menteith, President of our Counsell, and high Iustice of Scotland: Sir William Alexander of Menstrie, Knight, Our Secretarie, Sir Coline Campbell of Lutie Knight, Baronet, Sir James Lockhart younger of Ley, Knight, and M. William Elphinstoun one of our Cup-bearers.



HARLES by the Grace of GOD,  
King of great Britaine, France and  
Ireland, Defender of the Faith: To  
all and fundrie Our Subjects whom  
it effectes. For so meekle, as Wee  
being fullie resoluued to haue an vni-  
uersall Order established within that  
Our Kingdome of Scotland: Anent  
the matter of Teind, And that euery  
heritour shall haue and brooke his  
owne teinds of whatsomeuer nature  
the saids teinds be of, and to what-  
someuer benefice the famine per-  
taineth, at a competent rate and  
pryce: And vnderstanding that di-

uerse of Our Subjectes had differed to subscrive the first generall Sub-  
missions anent the saides teinds, vpon pretence that the Archbishops,  
Bishops, Persons, Vicars, and others of the Clergie had not subscrived  
the saides generall Submissions: Which impediment was thereafter  
remoued by a severall Submission, subscrived by the saids Bishops and  
Clergie to Vs. Therefore Wee by Our Letter and warrant directed  
to the Commissioners for teinds, of the date, the 28 day of October last  
by past, did signifie Our Will and Pleasure: That all titulars of teinds  
pertaining to whatsomeuer Kirkes or Benefice, and als all heritours of  
Lands, the teinds whereof pertaineth to the saids Benefices and Kirkes,  
should subscrive a generall submission vnto Vs: Referring to Vs the prices,  
rate and quantitie of whatsomeuer teinds of other mens Lands. Which  
Letter beeing read and considered by the saids Commissioners of teinds,  
they by their act of the date, the third day of December last by past: Did  
in all humilitie acknowledge Our gracious and Fatherlie care for the  
good of Our said auncient Kingdome, and allowed and approued the  
said Letter, and interponed their authoritie thereto. Conforme to the  
which there was certayne Submissions drawne vp: Whereby all persons,  
subscrivers of the saides Submissions, hauing or pretending right, by  
whatsomeuer title, tacles or other manner of right to whatsomeuer teinds  
of other mens Lands pertaining to whatsomeuer Bishopricke, Abbacie,  
Pryorie, Personage, Vicarage, Colledge, Kirks, Prebendarie Chaplan-  
rie, or other Benefice whatsomeuer. And such like, the heritours and  
possessours of whatsomeuer Lands lying within the saids Benefices, and  
who are desirous to haue the teinds of their owne Lands pertaining to  
the saids Benefices at a competent rate and prye submitted, and by  
the tennour of the saids Submissions, did submite vnto Vs all and sun-  
drie teindes that they or any of them had of other mens Landes, by  
whatsomeuer right or title they possessed, and enjoyed the famine, and  
how

how they might be dnuded thereof, *Omni bibili modo quo de jure.* And als did submitte vnto Vs, to appoint the quantitie & rate of teinds, and what prycce shall bee given for the famine , and what securitie shall bee made of the teinds of other mens Lands, to the heritours and possessors thereof, in such forme as might stand by Law , and were content , and consented that Wee should give our pleasure and determination anent the premissis referred to vs in manner foresaid , betwixt the day and date of the saies Submissions , and the last day of December 1629 yeares : As the saids submissions subscribed by the particular persons, titulars and heritours of the severall dates thereof in themselues more fullie proports. And Wee beeing well and ryylie aduised anent the premissis : And finding it necessar and expedient for the publicke weale and peace of that Our avnient Kingdome : And for the better prouiding of Kirkes and Ministers Stipends , and for establishing of Schools and others pious vies. That each heritour haue and enjoye his owne teinds : And therefore to the effect, full and perfect securitie may bee made to euerie heritour of his owne teinds : Wee decerne and ordaine the saids Submitters and euerie one of them , and their heires , to desnude themselues of the right of other mens teinds by all lawfull manner as may stand by the lawes of Our Kingdome , and that of the crop 1629 yeares , and yearlie therafter in all time comming , and to mak and subscribe good valide and lawfull securities to each heritour of his owne teinds by the sight of our Aduocat present , and beeing for the time prouyding , they bee no further oblisht in warrandice thereof but from their owne deeds, and from the facts and deeds of their predecessors to whom they are heires : Excepting thererfra such facts and deeds as is made and perfected by any of the Submitters and their forefaids , In fauours of the present possessours , tackes-men , and others haing right from them of the famine teinds : And as to the rate and quantitie of teinds , Wee ratifie and approue the course and order taken by Our speciall command and direction , for valuation of the whole teindes of the Kingdome , so farre as shall bee justlie and lawfullie done according to the tennour of the Commissions : And ordaines the Comissioners and Subcomissioners alreadie appointed , or to bee apponted for that effect , to exped the famine with all conuenient diligence ; And finds and declares that the rate and quantitie of all teinds of the Kingdome , is and shall bee the fist part of the constant rent which each Lands payeth in stocke and teind , where the famine are valued joyntlie . And where the teindes are valued aparte and severallie : Findeth that the rate and quantitie thereof is and shall bee such as the famine shall bee valued and esteemed , to be the saids Commissioners or Subcommissioners , Deducing always the fist part thereof , which Wee out of our Royall and Fatherlie care , for the well of our said Kingdome . Ordaine to bee deduced off the laid teinds severallie valued as laid is ; for the easie and comfort of our Subjects . Reseruing always the libertie to such as shall be

enormlie hurt and grieved in the valuations foresaids , either conjunctlie or seuerallie. To appeale to Vs or to our Parliament: To the effect wee may take such order therein , as may rectifie all abuses and disorders , committed or to be committed in the saids valuations And as to the price of teinds , Wee finde the price of each hundredth meykes of teinds consisting in money , to bee valued and estimat to nine yeaeres purchase. And where the saids teinds consists in victuall , or other bodies of goods , Because there is great difference of the qualitie of victuall , and of the other bodies of teinds both in spaces and kinds , and in worth and goodnesse , according to the diuerse places in the Countrie , where the famine growes and are bred . Therefore Wee decerne and ordaine tryall to bee taken by Our Commissioners , appointed or to bee appointed by Vs of the prycē , worth , and estimation of each Chalder of victuall , and of all other bodies of goods , wherein the teinds consists in kinds and goodnesse as the famine commonlie ruleth in each parte of the Countrie . And this beeing tryed and condescended vpon , and the prices thereof beeing redacted to moneys , Wee finde the just and reasonable prycē thereof , to bee estimat to nine yeaeres purchase . And Wee declare this nine yeaeres purchase to bee the just prycē of the heritable right of teinds , where the seller hath the heritable right thereof , but where his right is not heritable but temporall , and consistes in Leasses and tackes , or some other temporall right , whereof there are many or few yeaeres to run . We declare the prycē in this case to be ruled proportionalie according to the number of the tacks and qualitie of the rights , And because manie heritours of Lands hath tacks long or short of their owne teinds , or some other right thereof standing in their person . In the which case it is not reasonable that the heritours should pay the full price to the persons , hauing right to their teinds . Therefore Wee referre this point also to Our Commissioners appointed or to bee appointed : To determine and sette downe the proportion of the prycē of teinds , according to the yeaeres of the tacks to runne , and qualitie of the rights , standing in the person of the saides heritours . And according to the qualitie of the rights standing in the person of these who hath title to the saids teinds , after the out-running of the heritours tacks and rights of the famine . It is alwayes declared that the saids heritours who shall buy their owne teind , shall be oblikt to pay for no more of the famine , but such as shall rest by and attour the Ministers Stipend and others pious vses , which by the tennour of the genrall Commission , are ordained to be first prouyded . And als that these who shall not buy their owne teinds , and are to bee subject in payment of the rate of their teinds aboue specified , shall bee no further oblikt in payment thereof to the saids titulars , but with deduction of such part and portion thereof as is resting by and attour the saids Ministers Stipends and pious vses foresaid . And such like Wee decerne where Wee or any of the saids titulars haue right to the teinds of other mens Lands , after inspection of their

their rights and due condeferation thereof by Our Commissioners appointed or to bee appointed for that effect, That accordinglie in regard of the rights which W<sup>e</sup>e or they shall bee found to haue such a part of the pryce and payable rent, shall bee ordained to bee payed and applyed to Our or their vies. And W<sup>e</sup>e finde and declare that this generall course and order, That euery heritour shall brooke and possesse his owne teinds, shall haue beginning in this instant Crop and yeare of GOD 1629 yeares: The saids heritours beeing alwayes readie to fulfill and performe their part of this our determination. And to the effect that the saids titulars may receive full and compleate satisfacion of the pryce of the saides teinds, so farre as is due to them by this Our determination, fra the saids heritours who shall buy their teinds as said is: Or where they shall not buy, that the saids Titulars may bee secured, in the yearelie rate and quantitie of the saids teinds to be payed to them of the said Crop 1629. And yearelie thereafter W<sup>e</sup>e referre the consideration of the tearmes of payment of the saids pryces, and als of the tearmes of payment of the said payable rent of the said Crop, 1629 yeares and yearlye thereafter, Together with the manner and forme of lecurtie to bee giuen thereanent by the saids heritours to the saids Titulars vnto our saids Commissioners appointed or to bee appointed. To whom W<sup>e</sup>e giue full power to let downe such ample securties as may stand by Law, both for our securtie, and for securtie of the saids Titulars in the premitis: VVhich forme of securtie to bee ordained by them. W<sup>e</sup>e decerne the saids heritours to obserue and fulfill in all points, after the forme and tennour thereof. And W<sup>e</sup>e decerne the saids whole persons, Submitters, their heires and successours, To obtemper, fulfill, and obey this Our determination in the whole heeds and articles thereof. They receiuing lawfull and perfect securities, conforme to the tennour of Our Commission, and whole heeds thereof particularly and generally mentioned in the saids generall Submissions. And als receiuing reall payment of that which VV<sup>e</sup>e haue ordained by this Our determination, before they denude themselues, either of right or possession of the saids teinds; And that in manner particularlie exprest in this our determination, aboue specified. And finallie, VV<sup>e</sup>e ordaine this our determination with the whole Submissions wherepon the same proceedeth: To be registrat in the Bookes of Our Counsell and Seision: To haue the strength and force of a Decrete of the Lords thereof, with execusion to passe therepon, in forme as effeires. And the horuing to passe vpon a simple charge of ten dayes allanerie. And to that effect makes and constitutes.

Our Aduocat Our Procuratout, To compear for Vs, and coasent to the registering heereof in manner folesaid. In witnessse whereof W<sup>e</sup>e signed these Presents with Our hand at ~~windso~~ the second day of September the yeare of God 1629 yeares. Before these VV<sup>e</sup>itnesse~~s~~, <sup>william</sup> Earle of Monteith, President of Our Counsell and high Iustice of Scotland,

land, Sir *william Alexander* of *Menzie* Knight, Our Secretarie: Sir *Colline Campbell* of *Lundie*, Knight *Baronat*: Sir *james Lockhart* younger, of *Ley* Knight: Master *william Elphinstoun* one of Our Cup bearers, and Master *John Maxwell*, Minister at *Edinburgh*.



*HIS M A F E S T I E S D E-*  
*termination upon the Submission made*  
*by the Bishops.*



HARLES by the Grace of G'D, King of great *Britaine*, *France*, and *Ireland*, defender of the Faith. To all and sundrie Our Subjects whom it effectes: For so meekle as the Archbishops, Bishops, and remanent Clergie within Our Kingdome of *Scotland*, subscribers of the Band and Submission after specified. Considering that Wee, out of Our Royall care, Fatherlie and tender affection to the publicke good of all Our Subjects of that Our Kingdome, For freeing them

from the extremitie and damage which may insue to them by leading of their teinds, did intend to take such course as heereafter every heritor may possesse and enjoye the Teinds of his owne Lands for payment of a reasonable rate and duetie for the famine: And the said Archbishops, Bishops, and Clergie foresaid, acknowledging themselves to bee bound in duetie to aduance that Our Royall Designe: And beeing willing that all such heritors, as are subject to the payment of anyteinds to them, or any of them, shall haue their owne teinds beeing desirous thereof for payment to them and their successors of such a reasonable rate and constant yearelle rent, as Wee should determine to bee the quota and rate of teinds, within the rest of Our said Kingdome: So as the dueties and rate in Siluer and Bolls payed at the present to them, or to the Ministers, seruing at their particular Kirks, be not in any sort hurt nor diminished: And also considering the great benefis, which the said course intended by Vs, may import to their successors, who are

are thereby to haue a certaine and constant yearelle rent, which may not bee altered by any Titulars to the prejudice of their successors. Therefore the saids Archbishops, Bishops, and remanent Clergie fore. said, by their Band and Submission subscrived with their hand of the date at

The yeare of GOD, 1628 yeares: Hath bound and oblisht them and their successors, To grant to every Heritour of the severall Lands whereof the teinds doe appertayne to them or any of them (beeing desirous of the famine) Such sufficient securtie thereof as may stand with the Lawes of the said Kingdome: And for such a reasonable rate and rent or rentall Bolls, as Wee shall determine to bee the quota and rate of teinds: Submitting themselues thereanent, to Our Royall Decrete and Sentence to bee pronounced at or before the last day of December in the yeare of GOD 1629 yeares. And anent what lawfull securtie in manner foresaid, shall bee made or giuen by them, or any of them to the saids heritours of their owne teinds belonging to their Bishoprickes or Benefices, For payment to bee made by the saids heritours to them & their successors, of the said quota and rate or constant rent, and rentall to bee set downe by Vs, for the saids teinds out of the saids Lands subject to the payment thereof yearly in such manner, and at such tarmes as Wee shall bee pleased to appoint. And anent the making, setting downe, and establishing of the said quota or rate of the saids Teinds, rent, or rentall Bolls payable yearelle for the famine to them and their successors. And anent what securtie the saides heritours shall make for the sure true timous and thankefull payment to them and their successors of the said yearelle rent and rentall Bolls, at such times and tarmes of payment, as Wee shall thinke fitte to bee contained in the securities of the saids teinds: And anent the annuitie heereafter, payable by the saides heritours, for increase of Our rents, prouyding that they and every one of them peaceable enjoye the fruities and rentes of their severall benefices, as they were possessed by them at the time of the said Submission, and that such rents as should thereafter belong and accresce to them, or any of them, and their successors by Our said Decrete, Anent the said quota to bee payed by the saids heritours for the remanent of the saids teinds which were not in their present possession, should bee secured and made sure to them, and their successors, leauing the saides heritours of the Lands, out of which the teindes are due to them, to submitte themselues vnto Our Decrete and determination. Anent the annuitie, and other premissis which concernes them, to bee pronounced before the last day of December 1629 yeares, With power to Vs, to give foorth Our Sentence Pleasure and Determination anent the premissis betwixt the date hereof and the said last day of December 1629 yeares. As in the said Band and Submission, of the date foresaid at more length is contained. And Wee having at great length considered and aduised what is most fitte to bee done in the Premissis Submitted to Vs, both for the well

of the saides Bishoppes and their Successours, And for establishing of a constant victuall Rent to them , after the expyryng of the present Tackes , wherewith the famine are ,burdened: And for better plantation of the Kirkes pertaining to them. And als for the peace and quietnesse of our said Kingdome: That no person haue the leading of any other mans teinds ,but the heritours of the Lands allanerly. Pronounceth Our sentence and determination therein , as followeth. In the first Wee finde the quota or rate of all teinds pertaining to the saids Bishoprickes and other Benefices forefaids , which falleth within the compasse of the saide Submission , To bee the fist parte of that which each Land payeth of constant rent of Stoke and teind where the famine are joyntlie valued , conforme to the course and order taken , or to be taken for the valuation of the famine. And where the teinds are valued seuerallie and apart: Findeth that the rate and quantitie thereof is and shall bee such as the famine shall bee valued to by Our Commissioners appointed , or to bee appointed to that effect : Deducing alwayes the fist part thereof, to make the famine *equall to constant rent communibus annis.* And findes and declares , that if in the valuation of the saides teinds either joyntlie to bee made with the Landes or seuerallie , there bee anie sensible hurt , grieuance , and prejudice committed in excesse or diminution , which shall require to bee rectified by Vs: That it shall bee lawfull to the parties grieved , to appeale to Vs , or to Our Parliament , to the effect W<sup>e</sup>e may see order put thereto as effectes: And decernes & ordains the saids Submitters and their successours , to grant to every heritour of the seuerall Lands wherof the teinds appertaineth to the saids Submitters , or any of them ( beeing desirous of the famine ) and to their heires and successours , heritours of the saides Landes : Such sufficient securitie thereof as may stand with the Lawes of Our saide Kingdome , for payment of the laid rate and rent , determined by Vs , as laid is: And that of the Crop and yeare of G O D 1629. yeares , and yearelie thereafter the saids heritours alwayes , who shall desire to haue the right of their saids teinds in manner foresaid , their heires and successours , making and subscriuynge such lawfull securities to the saides Submitters and their successours for payment of the said quota and rate yearelie betwixt Zule and Candilmelle after the Crop with deduction alwayes of Our annuitie foorth of the excesse of the Bols and rent arising to the saids Submitters and their successours , after the expyryng of the present tackes in manner after specified. And that in such lawfull and perfect manner as may stand by the Lawes of Our Kingdome , and shalbe denised by our Aduocat: To whom Wee referte both the manner of right and securitie to bee made by the saids Submitters to the saids heritours of the saids teinds: And als of the securitie to bee made by the saids heritours to the saids Submitters and their successours , for sure payment of the rent and duetie aboue specified , together with Our annuitie due to Vs , for increase of Our rent , to bee payed by the saids heritours and

and their successours, to Vs and Our Successours, for such part of the said Rent & Bolts as shall accresse to the saids Submitters by the valuations forefaids, after the expyryng of the present tacks of the teinds of their saids Lands pertaining to their saids Bishoprickes and Benefices: Which annuitie shall bee allowed and defeased to the saides heritours off the first end of the said rent, which shall accresse to the saids Submitters & their successours as said is, but prejudice alwayes to the saids Submitters & their successours, and to the Ministers prouided to the feuerall Kirkes vnder them: To brooke and posesse the fruites and rents of their feuerall benefices, whereof payment was made to them the time of the making of the said Submission, and that without all burden of Our said annuitie. And Wee finde and declare, that it shall not bee lawfull to the saides Submitters and their successours, to bee pronyded to the saides Bishoprickes and Benefices, to seete any tacks long or short, or to make any other disposition of the saids teinds pertaining to the saides Bishoprickes and Benefices, after the expyryng of the present tacks thereof; But allanerly for payment of the said rate, rent, & quota now determined by Vs: Which shall remaine whole intire and vnhurt in quantitie or qualitie, and so transmitted to the successours for euer without anie change, alteration, diminution, conuersion in money or other prejudice whatsoeuer. Referring to Vs Our annuitie of that which shall accresse after the expyryng of the present tacks in manner foresaid. And Wee ordaine this Our determination with the said Submission wherupon the same proceeds, To bee registrate in the Bookes of our Counsell and Session, to haue the strength and force of a Decrete of the Lords thereof, with execution to passe therepon in forme as effectes. And the horning to passe vpon a simple charge of ten dayes allanerie: And to that effect make and constitutes.

Our Aduocat Our Procurator, To compear for Vs, and consent to the registering heereof in manner foresaid. In witnessse whereof Wee haue signed these Presents with our Hand at *windfore*, the second day of *September*, the yeare of God, 1629. years. Before these Witnesses. *william Earle of Menteith*, President of Our Counsell, and high Justice of *Scotland*, *Sir william Alexander of Menstrie*, Knight, Our Secretarie: *Sir Coline Campbell of Lundie*, Knight, Baronet: *Sir James Lockhart of Ley*, Knight, and Master *william Elphingston*, one of Our Cup bearers.





HIS MAfESTIES DE-  
termination upon the Submission made  
by the Borrowes.



HARLES by the Grace of GOD,  
King of great Britaine, France and  
Ireland, Defender of the Faith, To  
all and sundrie Our Subjects whom  
it effectires: For so meekle as the  
Commissioners of the free Royall  
Borrowes within Our Kingdome of  
Scotland, Having full power and com-  
mission from their severall Burghes:  
Considering that Wee out of Our  
Royall care, Fatherlie and tender af-  
fection, to the publick good of all Our  
Subjects of Our native and ancient  
Kingdome of Scotland, for freeing  
them from the extremitie and do-

image may ensue to them, by leading of their teinds: Intended to take  
such course as thereafter each man might possesse and enjoye the  
teind of the Lands pertaining to him in propertie. And they acknow-  
ledging themselves to bee bound in duety, to the aduancement of all  
Our Royall designes, tending to so publicke a good: Therefore, they  
by their Band and Submission of the date at Perth the second day of  
*July*, the yeare of God 1628 yeares: Bound and oblisht them, and each  
of them subscrivers of the said Submission and their successours, for and  
in name of the saides Burghes, To grant vnto each heritor of the seve-  
rall Lands whereof the teinds did to them appertaine ( after the expy-  
ring of the present tackes alreadie granted by them to the present tackel-  
men ) Such rights and securities for perpetuall enjoying of their owne  
teinds, and for payment of such rates, and teind rentall Bols of victuall  
as Wee in Our Royall Iudgement should decerne: Submitting them-  
selves each one for their owne partes thereanent, to Our Royall De-  
creeete and Sentence, and what should bee the true rate estimation and  
quantitie of the said teind, and what securitie should bee made to them  
by the saids heritours for yearelie payment to bee made to them, each  
one

ore for their owne parts of the saids teind Bolles of victuall of such sorts as shall grow vpon the same Landes yearelie : As shall bee decerned by Vs betwixt Zule and Candmies. For payment whereof the famine lands shall be lyable and bound in securitie of the famine. And were content and consented each one for their owne part , that Wee should giue foorth Our pleasure and determination anent the Premisis referred to Vs in manner foresaid , betwixt the date of the said Submission and the last day of December in the yeare of God 1629 yeares , As in their saides Submissions of the date foresaid containing diuerse others prouisions at more length is contained : And Wee beeing well and ryply aduised anent the Premisis , & finding it necessar and expedient for the publick weale and peace of that Our auncient Kingdome : That each heritour haue and enjoye his owne teinds : Pronounceth our sentence and determination therein as followeth . In the first Wee decerne and ordaine the saids Borrowes Royall , Prouest , Bailyeis and Counsell of the same , & their successors , whose Commissioners hath subserued the said Submission : To grant vnto each heritour of the fenerall Lands wherof the teinds doe appertaine to them , their heirs and successors ( after the expyryng of the present tacks , already granted by them to the present takers ) Such rights and securities for perpetuall enjoying of their own teind for payment of the rates and rentall bolls after mentioned in such ample forme as may stand by the Lawes of the Kingdome . The saids heritours alwayes & their foresaids , making and subseruing to the saids Royall borrowes and their successors , such lawfull securities for payment of the quota and rate of teinds after specified yearlie betwixt Zule and Candlemele , for payment whereof the famine Lands shalbe lyable and bound in securitie of the famine , And that in such forme and manner as shalbe deuised by the sight of Our Aduocat for the time , to whom Wee refer the manner and forme of the securities is to be made by the saids Royall borrowes to the saids heritours of their owne teinds , And by the saids heritours , to the saids royall borrowes , of the rate and quota of teind after specified , And as to the rate and quantitie of teinds , We find the quota or rate of all teinds pertaining to the saids royall Borrowes , to be the fist part of that whicheach Land payeth of constant rent in stoke and teind , where the famine are joynly valued , conforme to the course and order taken or to bee taken for the valuation of the famine : And where the teinds are valued severallie and apart , findeth that the rate & quantitie thereof is and shall bee such as the famine shall bee valued to . By Our Commissioners appointed or to bee appointed to that effect , Deducing always the fist part thereof to make the famine equall to cohfstant rent *communibus annis* . And finds and declares , that if in the valutions of the saids Teinds either joymly to be made with the Lands or severallie , there bee any sensible hurt , grieuance , and prejudice committed in excesse or diminution which shall require to bee rectified by Vs , that it shall bee lawfull to the parties grieved to appeale to Vs or to our Parliament . To the effect Wee may see order put thereto as effectes . And decernes this course and order , that every heritour shall haue his owne Teinds , to have the beginning in the Crop and yeare of God , 1629 yeares : The tacks

feere to the present tackef-men , beeinge expyred or otherwayes lawfullie  
 established in the person of the heritour by the said tackef-men who hath  
 the right thereto. Attour for so meekle as by the said Band and Submission ,  
 The foresaids Commissioners each one of them for their own parts  
 hath bound and oblisht their saids Borrowes and their successors , That  
 incase it shall bee founde that the rents of the Teinds great and small vice  
 tuall or siluer dueties of the famine , doted for the sustentation of the  
 Ministers, Rector, and Regents of their Colledges, Masters of their Schools  
 and Poore of the Hospitall of their seuerall Burghes payed to them , shall  
 exceede the yearelle loumes of money expended by them for the fore-  
 said pious vses, & their intertenement in the Stipends of the saids Ministers,  
 Rector and Regents of their Colledges , Masters of their Schooles , and  
 of their Poore in their saids Hospitals , Then and in that case , To pay  
 yearelle to Vs and Our Collectors , each one of them for their owne parts  
 foorth of the superplus and excresse of the saids dueties remaining by and  
 attour the payment of the saids Stipends due to the saids Ministers, Rec-  
 tor, and Regents of their seuerall Colledges , Masters of their Schooles ,  
 and intertenement of their Poore in their Hospitals Our annuitie due to  
 Vs in maner exprest in the said Submission . Therefore Wee ordaine  
 Our Commissioners appointed or bee appointed by Vs , To take tryall  
 of the true estate of the rents and Tithes pertaining to each Burgh , and  
 of the burden which they haue for interteanement of their Ministerie , and  
 Poore , and of the Rector, and Regents of Colledges where the famine  
 are . And to consider if there bee anie superplus and excresse by and at-  
 tour the burdens foresaids , Foorth of the which our said annuitie ought  
 to bee payed , And according thereto , Decernes the saides Borrowes  
 and their successours , to make payment to Vs and our Collectors of  
 Our annuitie which is due to Vs foorth of the saides superplus and ex-  
 cresse if any shall bee found as said is . And Wee ordaine this Our de-  
 termination with the said Submission wherepon the famine proceeds ,  
 to be registrate in the Books of Our Counsell and Session , To haue the  
 strength and force of a Decrete of the Lords thereof , with execution  
 to passe therepon , in forme as effectes : And the Horning to passe vp  
 On a simple charge of ten dayes allanerlie , and to that effect makes and  
 constitutes .

Our Aduocat our Procuratour , To compaire for Vs , and consent  
 to the registrating heereof , in manner foresaid . In witnesse whereof We  
 have signed these presents with our Hand at *windfore*, the second day of  
 September , the yeare of GOD 1629 yeares , before these witnessies ,  
*WWilliam Erle of Menteith* , President of our Counsell , and high Iustice  
 of Scotland: *WWilliam Alexander of Menstrie* , Knight , Our Secretarie,  
*Sir Coline Campbell of Lundie* , Knight , Baronet , *Sir James Lockhart younger*  
 of *Ley* , Knight , and M<sup>r</sup>. *WWilliam Elphinstoun* , one of our Cup-bearers.  
 and M<sup>r</sup>. *John Maxwell Minister at Edinburgh*.

F I N I S.

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